

EXHIBIT G

SMITHERS

VS.

FRONTIER AIRLINES INC

Deposition

SHAWN P. CHRISTENSEN

04/17/2019

AB Court Reporting & Video

216 16th Street, Suite 600

Denver Colorado, 80202

303-296-0017

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Civ. Action No. 1:18cv676 (TSE/IDD)

30(b)(6) DEPOSITION OF FRONTIER AIRLINES, INC., as
given by SHAWN P. CHRISTENSEN
April 17, 2019

ANNE SMITHERS, et al.,

Plaintiffs,

vs.

FRONTIER AIRLINES INC.,

Defendant.

1 APPEARANCES:

2 STONE & WOODROW LLP

By Thatcher Stone, Esq.

3 William T. Woodrow, III, Esq. (via
videoconference)

4 Suite 201, Louis & Clark Plaza

250 West Main Street

5 Charlottesville, Virginia 22902

Appearing on behalf of Plaintiffs.

6 CHARLSON BREDEHOFT COHEN & BROWN, P.C.

7 By Elaine Charlson Bredehoft, Esq.

11260 Roger Bacon Drive, Suite 201

8 Reston, Virginia 20190

Appearing telephonically on behalf of
9 Defendant.

10 CONDON & FORSYTH LLP

By Bartholomew J. Banino, Esq.

11 7 Times Square

New York, New York 10036

12 Appearing on behalf of Defendant.

13 Also present: Anne Smithers, via
14 videoconference

1 A If -- this is all situation dependent.
2 The allegation that she had the nebulizer was in the
3 documentation. What -- how it occurred, when it
4 occurred, if -- if gate agents found out after the
5 fact, after the aircraft pushed back, again, point
6 in time. I can't answer that question with any sort
7 of certainty.

8 Q (By Mr. Stone) Okay. Is there any
9 training offered by Frontier for the removal of
10 passengers from an aircraft?

11 A Yes.

12 Q Could you explain that to me, please?

13 A That -- I'm going to be very generic, and
14 I apologize.

15 Q Sure.

16 A The training would be done through the
17 station's representatives in a different department,
18 so I'm not familiar with all the level of detail
19 of -- of how they train and when they train, what
20 they train, all -- all those. That's not my
21 specific area of expertise, but there is training
22 associated with that, yes.

23 Q Okay.

24 MR. BANINO: And, Thatcher, I just want to
25 point out that our objection to this is exactly what

1 the witness is saying, which is the -- the topic
2 itself is -- is so vague, it's not really something
3 that can --

4 MR. STONE: Okay. I look forward to
5 reading your objections in your motion. I look
6 forward to it.

7 Q (By Mr. Stone) Do you know what specific
8 training was given here at DIA?

9 MR. BANINO: Same objection.

10 A The training that would be received would
11 be the same received by any --

12 Q (By Mr. Stone) Okay.

13 A -- agent -- ramp agent, correct.

14 Q Is that training compliant with Frontier
15 policies and procedures?

16 MR. BANINO: Same objection.

17 A The training would be either the Frontier
18 policies and procedures, or if more restrictive, by
19 the business partner.

20 Q (By Mr. Stone) Okay. Are you aware of
21 what training the business partner gives its people
22 to remove passengers?

23 MR. BANINO: Same objection. I can't
24 imagine that they would know this information.
25 And it's outside --

1 MR. STONE: I can't imagine that they
2 wouldn't, so we'll let the judge decide.

3 MR. BANINO: It's -- it's --

4 MR. STONE: Your opinion is interesting,
5 but not evidence.

6 A The training that the business partner
7 would have -- excuse me -- would have given would
8 have been, again, in compliance with Frontier
9 policies and procedures.

10 Q (By Mr. Stone) So if there's a Frontier
11 policy and procedure about what to do with a
12 passenger who complains that a member of the flight
13 crew is inebriated, you would expect in removing or
14 doing whatever they do, the business partners'
15 agents and people to follow the Frontier policy and
16 guidelines, correct?

17 MR. BANINO: Same objection.

18 Are you asking about Menzies' policies or
19 the gate agent's policies?

20 MR. STONE: I'm asking him the question I
21 asked.

22 Would you mind, Vanessa, reading it back,
23 please.

24 (Last question read.)

25 MR. BANINO: Yeah, I renew my objection.

1 I'm not sure how Frontier would know what --

2 MR. STONE: Your objection is noted.

3 MR. BANINO: How Frontier would know --

4 MR. STONE: Your objection is noted.

5 MR. BANINO: -- what Menzies' policy are.

6 MR. STONE: Maybe they told them.

7 MR. BANINO: What the business partners --

8 MR. STONE: Maybe they instructed them,

9 so --

10 MR. BANINO: Okay. But that's not --

11 that's not a 30(b)(6) question.

12 MR. STONE: It is. It's part of Item 3.

13 MR. BANINO: Right. But that's still

14 outside the scope.

15 MR. STONE: Your objection is noted, Bart.

16 Let's keep going or we're going to be here all day.

17 MR. BANINO: Okay. Well, do you know

18 the -- do you know the gate --

19 MR. STONE: He answered.

20 MR. BANINO: -- the service agent's

21 policies?

22 MR. STONE: He answered.

23 THE DEPONENT: I don't.

24 MR. BANINO: Okay.

25 MR. STONE: He answered.

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1 Q All right. Well, we'll show them to you
2 after lunch.

3 MR. STONE: I'd like to take a break now
4 for 20 minutes for lunch.

5 (Discussion off the record.)

6 (A lunch recess was taken from 12:39 p.m.
7 to 1:19 p.m.)

8 Q (By Mr. Stone) Can we look at No. 8,
9 please, Mr. Christensen?

10 Are you aware of the training given by
11 Frontier to its ground handling agents at Denver?

12 MR. BANINO: Thatcher, just for the
13 record, we objected to this because they were not
14 Frontier ground handling agents.

15 MR. STONE: Sure, they are. They have a
16 contract with Frontier. They're Frontier's agents.

17 MR. BANINO: Right, but they're not
18 Frontier employees.

19 MR. STONE: Okay. Make your objection.
20 Objection's noted.

21 Q (By Mr. Stone) Please answer the
22 question.

23 MR. BANINO: Well, he -- you haven't asked
24 him a question. I'm just making clear that the
25 agents were not -- the ground handling agents are

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1 not Frontier employees.

2 MR. STONE: I understand that.

3 MR. BANINO: So he wouldn't -- he wouldn't
4 know what their training is.

5 MR. STONE: Well, let him tell me he
6 doesn't know. You're not testifying.

7 MR. BANINO: No, no. That's fine. I just
8 wanted to be clear about the objection.

9 Q (By Mr. Stone) So Mr. Christensen, on the
10 6th of September 2016, Frontier signed a ground
11 handling agreement with Simplicity Ground Services,
12 LLC. Have you heard that name before?

13 A I have.

14 Q And who are they?

15 A They are one of the business partners that
16 Frontier utilized.

17 Q Are they related to Menzies or not?

18 A As far as I know, they are not. I believe
19 they're two separate entities.

20 Q So they're a different company --

21 A Correct.

22 Q -- than Menzies.

23 A Correct.

24 Q Okay. And do you know what training those
25 people received with respect to No. 8?

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1 A I don't. It's got to be approved by the
2 air carrier, so an approved air carrier --

3 Q Right.

4 A -- training program. I don't know what
5 that training program looks like.

6 Q So you don't know anything that they may
7 have been trained about.

8 A I don't.

9 Q Would it be possible --

10 MS. BREDEHOFT: Excuse me. Can I
11 please --

12 MR. STONE: Please don't interrupt me.

13 MR. BANINO: Thatcher, she started her
14 objection.

15 MR. STONE: She didn't. I was talking.

16 MS. BREDEHOFT: Excuse me.

17 MR. BANINO: Go ahead, Elaine.

18 MS. BREDEHOFT: So -- okay. So we
19 objected -- I'm sorry, I was cut off for a little
20 while. I just got in here so I don't know what else
21 I might have missed, but we did object to the Topic
22 8 as being vague, ambiguous, overly broad, unduly
23 burdensome, not relevant, not likely to lead to
24 discovery of admissible evidence, and that it also
25 was unspecified in terms of training, ground

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1 handling agents, passengers in similar
2 circumstances, and was a hypothetical.

3 So we indicated that we could not provide
4 a witness to testify on nonspecific, ambiguous and
5 hypothetical areas of inquiry, and it's not a proper
6 request for a corporate designee deposition.

7 MR. STONE: Okay. Your objection is
8 noted.

9 Q (By Mr. Stone) Mr. Christensen, answer
10 the question, please.

11 MR. BANINO: Can you repeat the question?
12 I'm not sure there was a question. Can you repeat
13 if there was?

14 (Page 184, Lines 6 through 9 read.)

15 Q (By Mr. Stone) Mr. Christensen, would it
16 be possible for you, if you went back and talked to
17 other people at Frontier, to determine what
18 training, if any, the ground handling agents that
19 have a contract with Frontier at DIA received in
20 order to make sure they were doing things the way
21 Frontier wanted?

22 MR. BANINO: I'm going to object both to
23 the form of the question --

24 MR. STONE: Yeah, I understand you're
25 objecting.

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1 MR. BANINO: But I'm objecting to the form
2 of the question as well, and so you may want to
3 rephrase it, but --

4 Q (By Mr. Stone) Can you go back to
5 Frontier and talk with your colleagues and determine
6 what training requirements are given to ground
7 handling agents to comport with Frontier policy?

8 A I could. That would be a different
9 department, yes.

10 Q Okay. Thank you.

11 Going back to our discussion about what to
12 do with a passenger who alleges that a member of the
13 cockpit crew is inebriated, is there any record in
14 any of the Frontier materials you have reviewed for
15 this deposition that show what safety concern was in
16 place that legitimized Mrs. Smithers being removed?

17 A I don't recall outside of the context of
18 the social media postings that --

19 Q The Tweet.

20 A Tweets, yes.

21 Q One Tweet, correct?

22 MR. BANINO: No, Thatcher, please don't
23 argue -- we're too early in the afternoon for you to
24 be arguing with the witness.

25 MR. STONE: I'm not arguing with the